

From: Craig Hillemann
To: Microsoft ATR
Date: 1/14/02 5:16am
Subject: Microsoft Settlement

A FINFlash Alert: The DOJ wants to hear from YOU[RESENT IN PLAIN TEXT]

January 13, 2002

Attorney General John Ashcroft
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Ashcroft:

Persuant to provisions of the Tunney Act, I am writing to express my opinion on the settlement reached between Microsoft and the Department of Justice in November of last year. Apparently nine states are seeking to further prosecute the Microsoft Corporation. As both a taxpayer and purchaser of personal computer software products, I do not believe that the antitrust case against Microsoft should be dragged out any longer.

Please be reminded that the purpose of antitrust laws in the United States is to protect consumers like me, and not to support the self-interests of competitors in the marketplace. The parties that goaded the DOJ and states to file antitrust actions were Microsoft's competitors, not consumers like me. Microsoft's competitors are obviously envious of Microsoft's success, but the reason Microsoft has succeeded is simply that Microsoft has consistently delivered better and more cost-effective products, and furthermore fostered a large market and environment inviting competition. As result, enormously more quality, low-cost hardware and software is available from both Microsoft and other vendors for Windows than for any other operating system (e.g, Linux, MacOS, Solaris, etc.).

Microsoft's Windows product provides excellent functionality for the price. As a consumer, I want Microsoft to bundle as many applets as possible in Windows, and I do not appreciate hardware vendors modifying Windows. My computer-using colleagues feel similarly. Windows as provided by Microsoft works well on a remarkably wide range of computer hardware. The applets included in Windows provide very helpful functionality with dependable stability and user interface consistency. Their inclusion does not prevent other vendors from developing products with greater functionality, but does provide a useful standard for other vendors to try to surpass.

I have read the entire Appellate Decision for this case, and based on the facts, including my own experience as a computer user, I do not believe bundling Internet Explorer in Windows was unlawful. Frankly, I appreciate the inclusion of Internet Explorer in Windows. Microsoft's alleged

misrepresentation of Java support may have been questionable, but the context was a struggle with Sun, one of Microsoft's biggest detractors, for control of the language. Microsoft has since pulled back support for Java in Internet Explorer. Anyway, the proposed settlement goes well beyond any reasonable remedy in view of Microsoft's possible misstep.

Under the circumstances, the agreement made between Microsoft and the Department of Justice was certainly more than fair. All parties directly involved (not counting Microsoft's competitors) seem satisfied with the terms reached. Microsoft has agreed to license its software and applicable intellectual property rights to its major competitors. Moreover, Microsoft is planning to format future versions of Windows so that its competitors will be able to introduce and endorse non-Microsoft software in Windows. Microsoft has also agreed to disclose Windows line code to competing computer software producers. However, I personally will want the full version of Windows from Microsoft without it being hacked by other vendors.

I do not believe litigation should continue in this case. There is no need to drag the suit out any longer. You and your office should back the settlement.

Thank you.

Sincerely,

Craig L. Hillemann

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